IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR.JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

WEDNESDAY, THE 21ST NOVEMBER 2007 / 30TH KARTHIKA 1929

LA.App..No. 694 of 2001()

LAR.461/1997 of PRL.SUB COURT, KOZHIKODE
.....

APPELLANT/ RESPONDENT

STATE OF KERALA

BY GOVERNMENT PLEADER SRI.K.V.MANOJ
ADDL.ADVOCATE GENERAL

RESPONDENTS: CLAIMANTS
----

1. **MEDAYIL VASU, VENGERI,**
   KARUVISSERY, KOZHIKODE TALUK.

2. **MEDAYIL KUMARAN, DO. DO.**

3. **MEDAYIL DAMODARAN , DO. DO.**

4. **MEDAYIL ROHINI, DO. DO.**

BY ADV. SRI.N.SUBRAMANIAM
SRI.M.S.NARAYANAN
SRI.S.RADHAKRISHNAN

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD ON 21/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A. 694 of 2001

Dated: November 21, 2007

JUDGMENT

Kurian Joseph, J.

This appeal is filed by the State against the judgment and decree in LAR 461 of 1997 on the file of the Sub Court, Kozhikode. The acquisition is for the Calicut Byepass. The property is in Vengeri village. The notification is of the year 1993. It is seen that after remand in LAR 450/1997 (Ext.A1), the land value has been re-fixed at Rs.25000/- per cent. What is granted is Rs.40,000/- per cent. In view of the development as above, this appeal is partly allowed, the judgment and decree is modified holding that the respondents/claimants shall be entitled to have the land value fixed at Rs.25000/- only per cent. They shall also be entitled to all consequential benefits including interest on solatium.

KURIAN JOSEPH
JUDGE

HARUN-UL-RASHID
JUDGE.

mt/-

KURIAN JOSEPH &
HARUN-UL-RASHID, JJ.

L.A.A.694 of 2001

JUDGMENT

21.11.2007